

REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

By this Amendment, claims 38-43, 45-51, 53-60, 62-68, 70, 72-77, 79-85 and 87 are amended and claims 52, 69, and 86 are cancelled without prejudice or disclaimer to the subject matter therein. Claims 39-43, 45-51, 53-54, 56, 58-60, 62-68, 70, 73-77, 79-85 and 87 are amended to correct minor grammatical informalities and to place the claims in a more appropriate format. Claims 38, 55, 72 are amended to positively recite that the voice processing interface communicates with the voice processing unit via the at least one central office. Support for the amendments to claims 38, 55, 72 can be found, for example, in FIG. 2B. No new matter has been added. After entry of this Amendment, claims 37-51, 53-68, 70-85 and 87 will remain pending in the present patent application.

Claim 57 was objected to under 37 C.F.R. §1.75(c) as being in improper form. In response, claim 57 has been amended to remove its dependency from claim 54. It is respectfully submitted that the amendment to claim 57 overcomes the rejection. Accordingly, reconsideration and withdrawal of the objection to claim 57 are respectfully requested.

Claims 37-87 were rejected under 35 U.S.C. §102(e) based on Fogg *et al.* (U.S. Pat. No. 5,841,839) ("Fogg"). The rejection is respectfully traversed.

Claims 52, 69 and 86 have been cancelled without prejudice or disclaimer, thus rendering moot the rejection of these claims.

Claim 37 is patentable over Fogg because this claim recites a shared voice processing system for use with private telephone switches, the system comprising a central voice processing unit connected via at least one central office with a plurality of PBXs. Fogg does not describe a system including this feature. Therefore, Fogg does not describe each and every feature recited by claim 37 and, as a result, cannot anticipate this claim.

Fogg discloses a voice mail system which is connected to a plurality of PBXs via an integrated switching network. (See Fig. 1A) Fogg also discloses that each of the PBXs is connected to a central office. Fogg is, however, silent about a central voice processing unit connected via at least one central office with a plurality of PBXs. Thus, the system in Fogg requires the addition of an integrated switching network, while the system recited by claim 1 uses the existing public network.

Claim 54 is patentable over Fogg at least because this claim recites a telephone network having a shared voice processing capability comprising, *inter alia*, a central voice

processing unit connected via at least one central office with the plurality of PBXs. As mentioned previously in the discussion related to claim 37, Fogg does not describe a network including this feature. Therefore, Fogg does not describe each and every feature recited by claim 54 and, as a result, cannot anticipate this claim.

Claim 71 is patentable over Fogg because this claim recites a shared voice processing method for use with private telephone switches, the method comprising connecting a central voice processing unit via at least one central office with a plurality of PBXs. Fogg does not disclose a method including this feature. Therefore, Fogg does not describe each and every feature recited by claim 71 and, as a result, cannot anticipate this claim.

Claim 44 is patentable over Fogg at least because this claim recites a shared voice processing system for use with private telephone switches, the system comprising, *inter alia*, a voice processing interface associated with at least one PBX and being connected intermediate a PBX and a telephone line communicating with said central voice processing unit. Fogg does not disclose a system including this feature. Therefore, Fogg does not describe each and every feature recited by claim 44 and, as a result, cannot anticipate this claim.

In contrast to the system recited by claim 44, Fogg discloses a voice processing interface connected via a dedicated communication connection to the central voice processing unit. Fogg is, however, silent about a system comprising a voice processing interface associated with at least one PBX and being connected intermediate a PBX and a telephone line communicating with said central voice processing unit.

Claim 61 is patentable over Fogg at least because this claim recites a telephone network having a shared voice processing capability comprising, *inter alia*, a voice processing interface associated with at least one PBX and being connected intermediate a PBX and a telephone line communicating with said central voice processing unit. As mentioned previously in the discussion related to claim 44, Fogg does not describe this feature and, as a result, cannot anticipate claim 61.

Claim 78 is patentable over Fogg because this claim recites a shared voice processing method for use with private telephone switches, the method comprising, *inter alia*, connecting a voice processing interface intermediate a PBX and a telephone line communicating with the central voice processing unit. Fogg does not disclose a method including this feature and, as a result, cannot anticipate claim 78.

Claims 38-43, 49, 50 are patentable over Fogg by virtue of their dependency from claim 37 and for the additional features recited therein. Claims 45-48, 51 and 53 are patentable over Fogg by virtue of their dependency from claim 44 and for the additional features recited therein. Similarly, claims 55-60, 66, and 67 are patentable over Fogg by virtue of their dependency from claim 54 and for the additional features recited therein. Claims 62-65, 68 and 70 are patentable over Fogg by virtue of their dependency from claim 61 and for the additional features recited therein. Claims 72-77, 83 and 84 are patentable over Fogg by virtue of their dependency from claim 71 and for the additional features recited therein. Finally, claims 79-82, 85 and 87 are patentable over Fogg by virtue of their dependency from claim 78 and for the additional features recited therein.

With regard to claims 38, 55 and 72, Applicant notes that these claims have been amended to positively recite that the voice processing interface communicates with the voice processing unit via the at least one central office. Fogg does not teach or suggest a system including this feature. Fogg discloses that the communications between the PBX and the voice mail system have to pass via the integrated switching network, which is separate from the public telephone switching network (PTSN), which includes the central Office. (See FIG. 1A).

With regard to claims 39, 56 and 73, Applicant respectfully submits that Fogg does not teach or suggest a voice processing interface located intermediate a PBX and a telephone line communicating with a central office, and via the central office with a central voice processing unit.

With regard to claims 40, 45, 57, 62, 74 and 79, Applicant respectfully submits that Fogg does not teach or suggest a voice processing interface providing translation of signaling between a signaling protocol employed by the PBX and a signaling protocol employed by the central voice processing unit. In Fogg, the translation is performed by element 42, which is part of the integrated switching network 12, which is co-located with the voice mail system, rather than by the voice processing system interface, which is co-located with the PBX (i.e. intermediate the PBX and a telephone line). (See col. 6, lines 1-2 and 26-30 and col. 7, lines 22-25).

With regard to claims 41, 46, 58, 63, 75 and 80, Applicant respectfully submits that Fogg does not teach or suggest a voice processing system including a central office that provides multiplexed connections to said plurality of PBXs. In Fogg, the multiplexing is provided by the integrated switching network, rather than by the central office.

With regard to claims 50, 51, 67, 68, 84 and 85, Applicant respectfully submits that Fogg does not teach or suggest a voice processing system including at least one computer cooperating with at least one PBX for providing unified messaging. Applicant notes that Fogg only teaches voice messaging. Fogg is silent about unified messaging, which is the integration of voice mail, fax mail and email into a single messaging platform.

Accordingly, reconsideration and withdrawal of the rejection of claims 37-52, 53-68, 70-85, and 87 under 35 U.S.C. §102(e) based on Fogg are respectfully requested.

The objection and rejection having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP LLP

By: 

CHRISTOPHE F. LAIR
Reg. No. 54248
Tel. No. (703) 905-2097
Fax No. (703) 905-2500

JDK/CFL
Date: June 15, 2004
P.O. Box 10500
McLean, VA 22102
(703) 905-2000